

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES

v.

ABDUR RAHIM ISLAM
SHAHIED DAWAN
KENYATTA JOHNSON
DAWN CHAVOUS

Defendants

NO. 2:20-cr-00045-GAM

JUDGE MCHUGH

AND NOW, this _____ day of _____, 2021, in consideration of the Joint Motion of Defendants Dawn Chavous and Kenyatta Johnson to Require the Government to Provide Notice of Its Intention to Introduce Evidence Against Them Pursuant to F.R.E. 404(b), it is hereby **ORDERED** that Defendants' Motion is **GRANTED**. The United States of America is hereby **ORDERED** to provide notice of its intention to offer evidence against Defendants pursuant to F.R.E. 404(b).

BY THE COURT:

THE HONORABLE GERALD A. McHUGH
United States District Judge

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**JOINT MOTION OF DEFENDANTS DAWN CHAVOUS AND KENYATTA JOHNSON
TO REQUIRE THE GOVERNMENT TO PROVIDE NOTICE OF ITS INTENTION TO
INTRODUCE EVIDENCE AGAINST THEM PURSUANT TO F.R.E. 404(b)**

Defendants Dawn Chavous and Kenyatta Johnson (collectively “Defendants”), by and through their undersigned counsel, respectfully request that the Court order the Government to provide notice of its intention to introduce any evidence against Defendants pursuant to Federal Rule of Evidence 404(b), and aver as follows:

1. Ms. Chavous and Councilmember Johnson are defendants in the above-captioned matter, wherein they have been charged with two Counts of Honest Services Wire Fraud pursuant to 18 U.S.C. §§ 1343, 1346.

2. This matter is scheduled for trial starting on February 1, 2022 before the Hon. Gerald A. McHugh.

3. Federal Rule of Evidence 404(b) permits admission of “[e]vidence of any other crime, wrong, or act” for certain very limited purposes provided, *inter alia*, that upon request by the accused, the Government in a criminal case shall, in advance of trial, provide reasonable notice

of any such evidence it intends to offer.

4. Defendants believe, and therefore aver, that the Government may seek to introduce evidence pursuant to Rule 404(b) against them in this matter.

WHEREFORE, Defendants respectfully request that the Court issue an Order requiring the Government to provide reasonable notice in advance of trial of its intent to introduce evidence against Defendants pursuant to Rule 404(b), as well as the specific bases and theories for the introduction of such evidence.

Dated: November 5, 2021

Respectfully submitted,

/s/ Barry Gross

Barry Gross

Elizabeth M. Casey

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Attorneys for Defendant Dawn Chavous

/s/ Patrick J. Egan

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Attorneys for Defendant Kenyatta Johnson

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CERTIFICATE OF SERVICE

I, Barry Gross, hereby certify that on this day, the foregoing document was filed electronically with the Electronic Case Filing System (“CM/ECF”) for the Federal Judiciary. Notice of this filing will be sent to all parties by operation of the Notice of Electronic Filing system, and the parties to this action may access this filing through CM/ECF.

Dated: November 5, 2021

/s/ Barry Gross
Barry Gross